

## STATE OF SOUTH CAROLINA

Application of

Public Communications Services, Inc.

for a Certificate of Public Convenience and Necessity  
to Provide Intrastate Telecommunications Services  
and for Alternative Regulation within the State of  
South Carolina

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

DOCKET  
NUMBER:

(Please type or print)

Submitted by: Bonnie D. ShealySC Bar Number: 11125

Address: Robinson, McFadden & Moore, P.C.  
PO Box 944  
Columbia, SC 29202

Telephone: (803) 779-8900Fax: (803) 252-0724

Other:

Email: bshealy@robinsonlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☒ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input checked="" type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

In the Matter of the Application of )  
**Public Communications Services, Inc.** )  
for a Certificate of Public )  
Convenience and Necessity to Provide )  
Intrastate Telecommunications )  
Services and for Alternative Regulation )  
Within the State of South Carolina )

Docket No. \_\_\_\_\_

Public Communications Services, Inc. ("PCS" or "Applicant") hereby submits its application for a Certificate of Public Convenience and Necessity to resell intrastate telecommunications services. This filing is made pursuant to South Carolina Statutes 58-9-280 and 58-9-520 and the rules and regulations of the South Carolina Public Service Commission. In addition, PCS requests that the Commission regulate its business as a resale carrier of intrastate interLATA and intraLATA telecommunications services for the purposes of providing specialized inmate telecommunications services offerings in accordance with the principles and procedures established for alternative regulation in Orders Nos. 95-1734 and 96-55 in Docket No. 95-661-C, and as modified by Order No. 2001-997 in Docket No. 2000-407-C. In support of its application, PCS states as follows:

**1. The legal name and principle address of the Applicant are:**

Public Communications Services, Inc.  
11859 Wilshire Boulevard, Suite 600  
Los Angeles, CA 90025  
Phone: 310-954-3017  
Fax: 800-296-6971  
Toll-Free: 800-350-1000

**2. Correspondence or communications regarding this application should be addressed to:**

Ms. Bonnie D. Shealy, Esquire  
Robinson, McFadden & Moore  
1901 Main Street  
Columbia, SC 29202  
Phone: 803-779-8900  
Fax: 803-252-0724

This document is an exact duplicate, with the exception of the form of the signature, of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

**3. The contact person regarding ongoing operations of the company is:**

Poova Bullock, Regulatory Manager  
Public Communications Services, Inc.  
11859 Wilshire Boulevard, Suite 600  
Los Angeles, California 90025  
Phone: 310-954-3029  
Fax: 310-954-2118  
Toll-Free: 800-350-1000  
E-Mail: poova.bullock@teampcs.com

4. Public Communications Services, Inc. was incorporated on January 27, 1997 under the laws of the State of California. A copy of the Company Articles of Incorporation is provided in Exhibit I.
5. PCS has a Certificate of Authority to transact business as a foreign corporation in the State of South Carolina. A copy of this certificate is provided in Exhibit II.
6. PCS proposes to provide automated collect (postpaid and prepaid) intrastate telecommunications services as well as debit services to inmates of prisons, jails and other confinement institutions. The Company installs sophisticated premises equipment within the facility which permits inmates to make outgoing, collect-only calls without the assistance of a live operator. For collect calling services, PCS's call processing system provides automated voice prompts to the calling and the called party for instructions on how to place and accept the call. The called party must accept the call with an affirmative response. If such a response is not received, the call is terminated automatically.

Customers are charged individually for each call placed through the Company's network. Charges may vary by service offering, and/or call duration. Customers are billed based on their use of PCS's services and network.

PCS's system collects and stores collect call detail information for each call. These call records are retrieved by PCS and submitted for billing to the called party's local exchange carrier through PCS's billing agent. The billing agent is authorized to investigate complaints and adjust customer bills within certain parameters set by PCS. Should an inquiry exceed the authority delegated to PCS, the customer is referred to PCS's in-house Customer Service Department for further assistance.

PCS's Customer Service may be reached toll-free at 1-888-288-9879 or by writing to Public Communications Services, Inc., Customer Service Department, 11859 Wilshire Boulevard, Suite 600, Los Angeles, California 90025. The Customer Service Department is staffed Monday through Friday from 7am to 5pm Pacific time. After hours inquiries are handled by voicemail, and are returned the next day.

7. PCS will switch calls through their underlying carrier. Calls are routed over switched access facilities to the nearest underlying carrier's point of presence. The underlying carrier transports the calls to its switch and terminates calls over its own terminating network.
8. Customers are billed based on their use of PCS's services and network.
9. PCS contracts for services from its underlying carrier at discounted rates based on a long-term volume commitment.
10. PCS's underlying transmission carrier is selected based on the best mix of quality, service and price.
11. PCS has been providing inmate operator services since 1998 and has a team of managers and support personnel who are well qualified to operate a telecommunications business and provide the proposed services. Additionally, PCS relies on its underlying carrier's technical expertise for the operation, maintenance and supervision of the network. Resumes of key personnel are included in Exhibit III.
12. Applicant has the financial ability to provide resold telecommunications services within the State of South Carolina. PCS attaches its balance sheet and income statement for 2007, filed under seal, as Exhibit IV. PCS is a privately held company. Accordingly, its financial statements are not public information. As a privately-held company, it does not issue annual reports or submit any financial filings with the Securities and Exchange Commission. The Applicant respectfully requests that these financial statements disclosed in connection with this Application be filed under seal, solely for the purpose of the Commission and the Office of Regulatory Staff's review. The Applicant is simultaneously filing a motion for protective treatment of Exhibit IV with this application.
13. Attached as Exhibit V is a copy of PCS's proposed tariff of services and rates.
14. Approval of PCS's Application will serve the public interest by allowing competitive carriers to enter the institutional calling services market, offering newer and better technology in the provision of service and additional choices for billing inmate calls, thus reducing costs and improving security.

15. In Docket No. 95-661-C in response to a Petition for Alternative Regulation by AT&T Communications of the Southern States, this Commission determined that there was sufficient competition in the market for interexchange telecommunication services to justify a relaxation in the manner in which AT&T was regulated. PCS submits that as a competitor of AT&T in the market for providing telecommunication services to customers it should be subject to no regulatory constraints greater than those imposed on AT&T. PCS requests that its interexchange telecommunications service offerings be regulated under this form of relaxed regulation.

These alternative regulation orders were modified by Order No. 2001-997 in Docket No. 200-407-C which imposed a cap on operator-assisted calls where a consumer uses a local exchange carrier's calling card to complete calls from locations which have not selected the local exchange carrier as their toll provider.

16. Both because of the level of competition found by the Commission in Docket No. 95-661-C and because of the Commission's decision to permit AT&T greater rate flexibility, PCS submits that it is critical to the continued development of a competitive market for telecommunication services that the relaxation of regulation described in Orders No. 95-1734 and 96-55 as modified by Order No. 2001-997 be applied to these service offerings.

17. Waivers and Regulatory Compliance

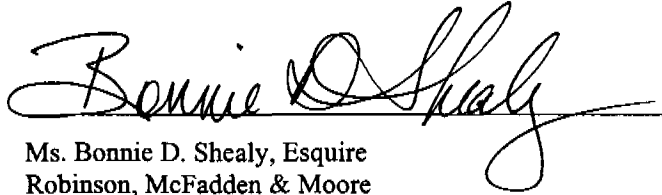
Public Communications Services, Inc. requests that the Commission grant it a waiver of those regulatory requirements inapplicable to competitive providers. Such rules are not appropriate for competitive providers and constitute an economic barrier to entry into the interexchange market.

- A. PCS requests that it be exempt from record keeping policies that require a carrier to maintain its financial records in conformance with the Uniform System of Accounts ("USOA"). The USOA was developed by the FCC as a means of regulating telecommunications companies subject to rate base regulation. As a competitive carrier, PCS maintains its book of accounts in accordance with Generally Accepted Accounting Principles ("GAAP"). GAAP is used extensively by interexchange carriers. Moreover, PCS asserts that because it utilizes GAAP, the Commission will have a reliable means by which to evaluate PCS's operations and assess its financial fitness. Therefore, PCS hereby requests an exemption from the USOA requirements.
- B. In addition, PCS requests a waiver of S.C. Reg. 103-610, and to be allowed to maintain its books and records at its headquarters location in Los Angeles, California. In the event that the Commission finds it necessary to review PCS's books, this information will be provided upon request to the Commission or PCS will bear the expense of travel for the Commission staff to examine the books and records located outside of South Carolina.

Wherefore, Public Communications Services, Inc. requests that the South Carolina Public Service Commission issues a Certificate of Public Convenience and Necessity authorizing it to provide resold intrastate telecommunications services to the public as proposed herein and set forth in the attached tariff.

Dated this 31<sup>st</sup> day of March, 2008.

Respectfully submitted,

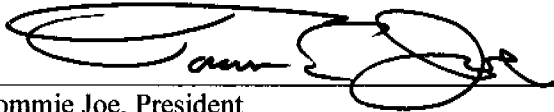
A handwritten signature in black ink, reading "Bonnie D. Shealy". The signature is written in a cursive style with a long horizontal line extending to the right.

Ms. Bonnie D. Shealy, Esquire  
Robinson, McFadden & Moore  
1901 Main Street  
Columbia, SC 29202  
Phone: 803-779-8900  
Fax: 803-252-0724

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

§  
§  
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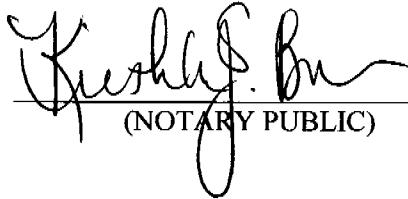
I, Tommie Joe, acting on behalf of Public Communications Services, Inc., first being duly sworn upon oath depose and say I am the President of Public Communications Services, Inc., that I have read the above and foregoing application by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe same to be true.



Tommie Joe, President  
Public Communications Services, Inc.

3/27/08  
Date

Subscribed and sworn before me this 27th day of March, 2008.

  
(NOTARY PUBLIC)

My Commission expires on: Dec. 6, 2009



**APPLICATION OF PUBLIC COMMUNICATIONS SERVICES, INC.**

**List of Exhibits**

<b>Exhibit I</b>	Articles of Incorporation
<b>Exhibit II</b>	Authority to Operate as a Foreign Corporation
<b>Exhibit III</b>	Resumes and Technical Expertise of Key Personnel
<b>Exhibit IV</b>	Financial Statements
<b>Exhibit V</b>	Proposed Tariff



**Exhibit I**

**Public Communications Services, Inc.**

**Articles of Incorporation**

1999932

ENDORSED  
FILED

In the office of the Secretary of State  
of the State of California

JAN 27 1997

ARTICLES OF INCORPORATION

OF

PUBLIC COMMUNICATION SERVICES, INC.

*Bill Jones*  
BILL JONES, Secretary of State

1.

The name of this corporation is Public Communication Services, Inc.

2.

The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business, or the practice of a profession permitted to be incorporated by the California Corporation Code.

3.

The name and address in the State of California of this Corporation's initial agent for service of process is: Daniel R. Barbakow, 11661 San Vicente Boulevard, Suite 1010, Los Angeles, California 90049.

4.

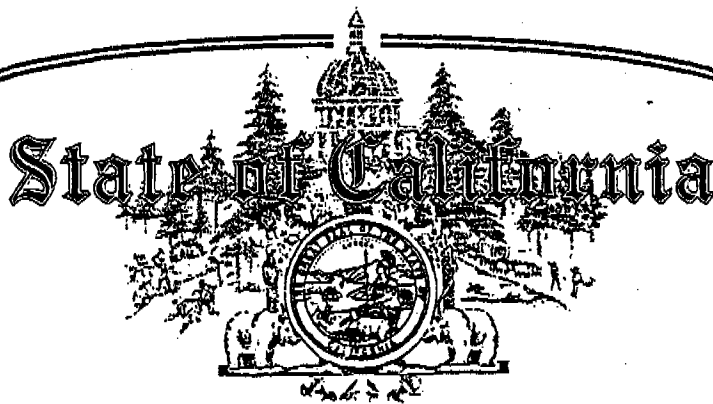
This corporation is authorized to issue only one class of shares of stock; the total number of shares which this corporation is authorized to issue is 10,000.

Dated: January 22, 1997

*Daniel R. Barbakow*  
DANIEL R. BARBAKOW

I hereby declare that I am the person who executed the foregoing Articles of Incorporation which execution is my act and deed.

*Daniel R. Barbakow*  
DANIEL R. BARBAKOW



## SECRETARY OF STATE

### CERTIFICATE OF STATUS DOMESTIC CORPORATION

I, **BILL JONES**, Secretary of State of the State of California, hereby certify:

That on the 27th day of January, 19 97,

PUBLIC COMMUNICATIONS SERVICES, INC.

became incorporated under the laws of the State of California by filing its Articles of Incorporation in this office; and

That no record exists in this office of a certificate of dissolution of said corporation nor of a court order declaring dissolution thereof, nor of a merger or consolidation which terminated its existence; and

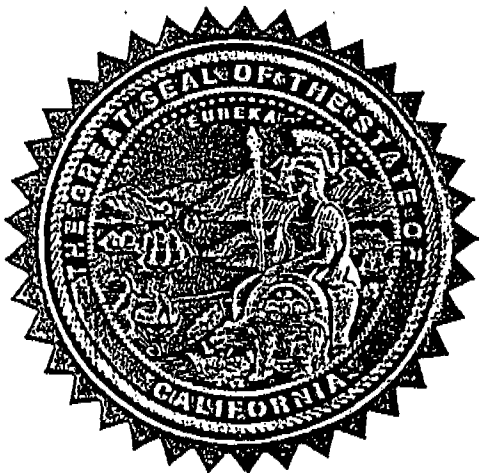
That said corporation's corporate powers, rights and privileges are not suspended on the records of this office; and

That according to the records of this office, the said corporation is authorized to exercise all its corporate powers, rights and privileges and is in good legal standing in the State of California; and

That no information is available in this office on the financial condition, business activity or practices of this corporation.

IN WITNESS WHEREOF, I execute this  
certificate and affix the Great Seal of  
the State of California this day of

September 3, 1998



*Bill Jones*

Secretary of State

**State of California  
Secretary of State**

**CERTIFICATE OF STATUS  
DOMESTIC CORPORATION**

I, **DEBRA BOWEN**, Secretary of State of the State of California, hereby certify:

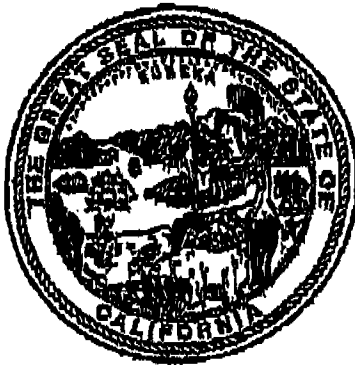
That on the 27TH day of JANUARY 1997, **PUBLIC COMMUNICATIONS SERVICES, INC.** became incorporated under the laws of the State of California by filing its Articles of Incorporation in this office; and

That said corporation's corporate powers, rights and privileges are not suspended on the records of this office; and

That according to the records of this office, the said corporation is authorized to exercise all its corporate powers, rights and privileges and is in good legal standing in the State of California; and

That no information is available in this office on the financial condition, business activity or practices of this corporation.

IN WITNESS WHEREOF, I execute  
this certificate and affix the Great Seal  
of the State of California this day of  
June 20, 2007.



*Debra Bowen*

**DEBRA BOWEN**  
Secretary of State

NP-20 (REV 1/2007)

LMB  
PER OSP (M 06/21)

**Exhibit II**

**Public Communications Services, Inc.**

**Authority to Operate**

**As a Foreign Corporation**

MAR 04 2008

STATE OF SOUTH CAROLINA  
SECRETARY OF STATE

APPLICATION BY A FOREIGN CORPORATION  
FOR A CERTIFICATE OF AUTHORITY  
TO TRANSACT BUSINESS  
IN THE STATE OF SOUTH CAROLINA

Mark Hammond  
SECRETARY OF STATE OF SOUTH CAROLINA

TYPE OR PRINT CLEARLY WITH BLACK INK

Pursuant to Section 33-15-103 of the 1976 South Carolina Code of Laws, as amended, the undersigned corporation hereby applies for authority to transact business in the State of South Carolina, and for that purpose, hereby submits the following statement:

1. The name of the corporation is (see Sections 33-4-101 and 33-15-106 and Section 33-19-500(b)(1) if the corporation is a professional corporation) Public Communications Services, Inc
2. It is incorporated as (check applicable item) ☒ a general business corporation, ☐ a professional corporation, under the laws of the state of California
3. The date of its incorporation is Jan 27, 1997 and the period of its duration is Perpetual
4. The address of the principal office of the corporation is 11859 Wilshire Blvd #200 in the city of Los Angeles and the state of CA 90025.  
Street Address  
Zip Code
5. The address of the proposed registered office the state of South Carolina is  
2 Office Park Court, Suite 103 in the city of Columbia in  
Street Address  
South Carolina 29223  
Zip Code
6. The name of the proposed registered agent in this state at such address is  
National Registered Agents, Inc.  
Print Name

I hereby consent to the appointment as registered agent of the corporation.

Carol Shelton  
Signature of the Registered Agent  
Carol Shelton, Asst. Secretary

080309-0011

FILED: 03/04/2008  
PUBLIC COMMUNICATIONS SERVICES, INC.

Filing Fee: \$135.00 ORIG



Mark Hammond

South Carolina Secretary of State

COPY

Public Communications Services  
Name of Corporation

7. The name and usual business address of the corporation's directors (if the corporation has no directors, then the name and address of the persons who are exercising the statutory authority of the directors on behalf of the corporation) and principal officers:

a) Name of Directors

Paul Jennings  
Joseph Feizer.

Business Address

11859 Wilshire Blvd #600, Los Angeles CA 900  
" " " " " " " "

b) Name and Office  
of Principal Officers

Paul Jennings CEO  
Tommie Joe, President & COO  
Dennis Kowai CEO.

Business Address

11859 Wilshire Blvd #600, Los Angeles CA, 9002  
" " " " " " " "  
" " " " " " " "

8. The aggregate number of shares which the corporation has authority to issue, itemized by classes and series, if any, within a class:

Class of Shares (and Series, if any)

Common

Authorized Number of Each Class (and Series)

10,000 A.

9. Unless a delayed date is specified, this application shall be effective when accepted for filing by the Secretary of State (See Section 33-1-230):

Date \_\_\_\_\_

Public Communications Services  
Name of Corporation  
[Signature]  
Signature  
Dennis Kowai CEO.  
Type or Print Name and Office

# *The State of South Carolina*



*Office of Secretary of State Mark Hammond*

## **Certificate of Authorization**

**I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:**

**PUBLIC COMMUNICATIONS SERVICES, INC.,**  
a corporation duly organized under the laws of the state of **CALIFORNIA** and issued a certificate of authority to transact business in South Carolina on **March 4th, 2008**, has on the date hereof filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the Corporation that its authority to transact business in South Carolina is subject to being revoked pursuant to Section 33-15-310 of the 1976 South Carolina Code, and no application for surrender of authority to do business in South Carolina has been filed in this office as of the date hereof.

Given under my Hand and the Great  
Seal of the State of South Carolina this  
9th day of March, 2008.

A handwritten signature in cursive script that reads "Mark Hammond".  
Mark Hammond, Secretary of State



**Exhibit III**

**Public Communications Services, Inc.**

**Management Profiles**



## Biographical Briefs

The Public Communications Services' team is made up of experienced professionals with a broad range of backgrounds in sales, service, operations, and telecommunications. Public Communications Services is recognized in the marketplace for being independent and innovative in providing solutions to the complexities of today's constantly evolving telecommunications industry.



## **Paul Jennings :: Chief Executive Officer & Secretary**

Paul Jennings is the founding partner and chief executive officer of Public Communications Services, Inc., (PCS), which is the third largest provider of inmate telephone systems in the country. Mr. Jennings has been in the telecommunications industry since 1983. He is regarded as one of the pioneers in the long distance operator service business that began with AT&T's break-up in January 1984. In 1986, he secured an exclusive contract for marketing operator services for four market segments: hotels, hospitality (including condominiums), inmate institutions, and public payphones. In subsequent years, Mr. Jennings developed a strategy to integrate various telecommunications services vertically by investing strategic resources to deliver emerging technologies to, principally, federal and state agencies with large or significant inmate populations. Part of this strategy was the formation of three companies, including PCS for inmate and payphone management.

PCS has developed core values, which deliver value to the end-user and consistent reliable service to its clients. The company has achieved industry profit margins year after year by its customer/marketing centric focus. PCS' extensive client list includes the United States Immigration and Customs Enforcement (ICE) and nine State DOCs (Delaware, Idaho, Iowa, Maine, Missouri, Montana, New Hampshire, New Mexico, and Vermont). Today, PCS has sales approaching \$100 million and over 150 employees.

Separately, Mr. Jennings is also chief executive officer of PCS Development, Inc. (PCS Development) with currently over \$1 billion in real estate development projects in the southwest and Mexico. This company has earned a reputation as an opportunity buyer of unique assets. The company formed to take advantage of real estate opportunities after the Northridge earthquake in 1994, specifically, damaged multi-family structures. Over the next ten years, PCS Development became one of the largest and most active real estate developers in multi-family, mixed-use, and retirement projects. The company proceeded to create a portfolio of vertically integrated companies for construction and lease, and operated over 60 acquisitions - in excess of 4,000 multi units developed. PCS Development has built, sold and/or currently owns over \$1.5 billion in real estate assets. Its current activities include four large land entitlement projects in California and Arizona, as well as, a 4,300 acre planned community in Mexico. The project in Mexico known as Bahia De Los Sueños is a long-term comprehensive resort community with a total sell out value in excess of \$1 billion.

Mr. Jennings holds a Bachelor of Science degree in Marketing and a degree in Mathematics from California State University Northridge. Mr. Jennings is a member of Young Presidents Organization (YPO) serving in five chair positions, as well as, a board member on several school boards. Mr. Jennings is married, has two children, and resides in Los Angeles.

## **Tommie Joe :: President & Chief Operating Officer**

Mr. Tommie Joe joined PCS in 1999. Mr. Joe is the Chief Operating Officer responsible for directing and coordinating the activities of the Telecommunication's Operations and Sales staff.

His functions include providing operational guidance, and analyzing and appraising the effectiveness of all operations and organizational processes.

Mr. Joe brings over 25 years of experience in operations, engineering, software development, and corporate management from multiple industries to PCS. Mr. Joe began his career as an engineer for Exxon Company, USA where he moved up the management ladder to project management for offshore oil and gas exploration and development in the Gulf of Mexico and California. Mr. Joe then became Chief Operating Officer for Cyber Options, Inc., a consulting and product development firm specializing in the health care industry. Prior to joining PCS, Mr. Joe was the Vice President of Operations for North Communications, Inc., a company that specializes in developing kiosk applications for the financial industry.

Mr. Joe holds a Bachelor of Science degree in Mechanical Engineering from Georgia Institute of Technology and an MBA with emphasis in Information Technology from California Lutheran University.

### **Charles B. Freedman :: Treasurer**

Charles B. Freedman joined PCS in August 2001 as the company's Chief Financial Officer. Mr. Freedman oversees the finance organization. His responsibilities include corporate strategic planning, capital raising, financial reporting, planning and analysis, receivables and payables management, tax compliance, treasury services, and risk management.

Prior to joining PCS, Mr. Freedman served as the Vice President and Chief Financial Officer of Merisel Canada, Inc. In his role with Merisel Canada, Inc., Mr. Freedman oversaw the finance organization, real estate activities and the company's information systems group. He was instrumental in returning the company to profitability. Previously, as Merisel Inc.'s Treasurer, Mr. Freedman played leadership roles in enhancing Merisel's working capital management, securing lower-cost financing for the business, improving corporate debt ratings and optimizing the capital structure. Mr. Freedman also served as an Assistant Vice President at Citicorp North America, where he structured, negotiated and syndicated financial transactions with Fortune 1000 corporations. Mr. Freedman has also served as a securities analyst for Crowell, Weedon and Company, a regional brokerage firm.

Mr. Freedman earned a Bachelor of Science degree in Business Economics from the University of California in Los Angeles and an MBA from Pepperdine University.

### **Carol Dyer, SPHR :: Corporate Director**

Carol Dyer joined PCS in October 1999. Ms. Dyer has full responsibility for administration of human resources functions including employee relations, training, compensation, benefits, safety, professional development, performance management, job analysis, recruitment, payroll, and compliance with federal, state, and local laws impacting the workplace.

Ms. Dyer brings 20+ years in human resources management experience. Prior to joining PCS, she spent 9 years as Managing Director of Human Resources for Cornell Companies, a Houston-based private prison provider and a PCS client.

Ms. Dyer received her Bachelor of Science degree in Business Management from the University of Redlands and holds a certificate in Human Resources Management from UCLA. She is certified as a Senior Professional in Human Resources through the Human Resources Certification Institute. Ms. Dyer is an active member of the Society for Human Resource Management, Professionals in Human Resources Management, and the National Human Resources Association. Currently she is an adjunct professor for California State University Northridge, teaching the core course in the Human Resources Management certificate program.

### **Dennis Y. Komai :: Chief Financial Officer**

Mr. Dennis Y. Komai joined PCS, Inc. in 2006 and brought with him over thirty years of finance and accounting experience that covers the Electronics, Aerospace, and Telecommunications Industries. He has been the CFO/Controller of large and medium-sized companies for more than twenty years and has extensive knowledge of manufacturing and engineering based firms. He has a career history of turnarounds and helping companies through rapid growth.

Some of the companies Mr. Komai has worked for include Hughes Aircraft (now Raytheon), Cartwright Electronics, and Meggitt Plc (a British-owned company). His foreign-owned company experience included significant international travel and acquisition and divestiture activity, which are highly sought-after skills in a fast moving industry such as Telecommunications. Mr. Komai has also been involved in start-up companies and consulting work.

Mr. Komai holds a Bachelor of Science in Business Administration from the University of Southern California and an MBA from Pepperdine University.

### **Lucien C. Jervis, SPHR, CBM :: Director of Human Resources**

Lucien C. Jervis joined PCS in late 2006. Ms. Jervis has executive responsibility for the administration of the human resources function including employee relations, leadership development, sourcing/talent management, organizational development, compliance, benefits, compensation, and safety.

Ms. Jervis is an executive management professional with over 20 years of human resources leadership experience in the following industries: manufacturing, insurance/marketing services, environmental waste management consulting and architectural-interior design. She has had a successful career partnering with senior executives to drive organizational change and strategic direction; creating on-going positive outcomes for each organization by building human resources "service centers" for start-ups, mature cycle and high growth companies.

Prior to joining PCS, Ms. Jervis spent 11 years as the Director of Human Resources and Safety for Workrite Uniform Company, a subsidiary of Williamson-Dickie specializing in the manufacture of protective apparel. She has also served in an executive leadership role with Aetna Health Plans/Marketing, EMCON Southwest, and Hambrecht Terrell International. Early in her career, Ms. Jervis was a university professor at Florida Atlantic University in Boca Raton.

Ms. Jervis holds a Master of Fine Arts degree from the University of California at Irvine; a Professional Designation in Human Resources Management from the University of California at Los Angeles; certification as a senior professional in human resources (SPHR) through the Society for Human Resource Management's, HR Certification Institute; certification as a facilitator/trainer in TQM (Strategic Planning) through Organizational Dynamics; and she is a certified business manager (CBM) through the Association of Professional Business Managers (APBM).

### **Joseph Pekarovic :: Vice President of Sales**

Mr. Joseph Pekarovic has been an integral part of the PCS team since 1987. He was initially involved in the installation of public telephone systems in the Southern California area and then was instrumental in marketing operator services for the Hospital and Hotel industry. He established the Inmate Call Processing unit at PCS in 1996 when the need for robust and technically advanced security services began to be required for the inmate telephone industry.

Mr. Pekarovic currently oversees the Telecom Division as the Vice-President of Sales, working closely with the implementation and installation of Inmate Telephone Systems in many Federal, State, County, and Private correctional facilities. Mr. Pekarovic created the Marketing and Telemarketing Departments that contract with various Regional Bell Operating Companies, Local Exchange Carriers and Long Distance Companies for the renewal of public pay phone services. Mr. Pekarovic has been integrally involved with the installation of over 100 correctional facilities nationwide and has been involved with the marketing of telecommunications services in the Caribbean, South America and Europe. Mr. Pekarovic received a Bachelor of Science degree in Industrial Engineering from Cal Poly, San Luis Obispo.

Mr. Pekarovic holds a Bachelor of Science degree in Industrial Engineering from California Polytechnic State University, San Luis Obispo.

### **Steve Cadwell :: General Manager of Sales**

Prior to joining PCS, Mr. Cadwell held several senior level sales management positions in the telecom software industry and was the Telecom Technology Practice Leader for an internationally retained executive search firm.

Mr. Cadwell began his career with GTE in Wisconsin in 1979 and spent 19 years progressing through assignments in Illinois, Indiana, California and Texas, where he held regional, national and international assignments in sales, marketing, operations and executive management. He

also spent three years with the nation's largest paging company in positions of increasing responsibility, advancing from Sales Executive to General Manager to Vice President.

Mr. Cadwell has a long history of building successful, high performance sales and operations teams that are focused on solving business problems through the application of differentiated technology and creative solutions. He has been recognized by his peers for his leadership and vision, and has received numerous awards for excellence in sales management and leadership.

Mr. Cadwell graduated from the University of Wisconsin-Madison and continues to be an active Badger supporter. He lives in the Conejo Valley with his wife Deborah and their two children.

### **Doyle Schaefers :: Vice President of Operations**

Mr. Schaefers joined Public Communications Services in October of 1998 as our Director of Inmate Operations. In that role, he was responsible for all equipment implementations and the technical operations related to PCS' inmate accounts. These activities include project management, equipment specification and configuration, technical support, and the optimizing of system performance.

In his current role, Mr. Schaefers manages the Operations Departments responsible for implementing and supporting the inmate phone platforms, including facility and end-user call centers.

Mr. Schaefers began his career in the electronics/communications field in 1988 while in the U.S. Marines. After ten months of extensive training in electronics and calibration theories, he worked as a bench technician for four years. He worked on equipment that ranged from sophisticated test, measuring and diagnostic equipment to weapons and flight control.

While employed as an Electronics Technician with the Federal Bureau of Prisons, Mr. Schaefers received first-hand knowledge of telecommunications and electronics in a prison environment. He was responsible for the specification, installation, modification, and maintenance of nearly all the electronic and communications equipment required for a medium/high security prison. Systems included the following: perimeter detection, CCTV, paging, fire alarm, administration telephones and inmate telephones.

To keep up with the changes in the dynamic telecommunications field, Mr. Schaefers has attended numerous seminars and classes. He received certification to install and program the Harris Digital Telephone Systems 20-20 series PBXs in 1997. He has also received training and has extensive experience in the splicing and termination of fiber optic and copper communications cabling systems.

Mr. Schaefers has served as project manager for dozens of telecommunications and electronic system projects, including the complete upgrade of the following: prison telephone cable plant, PBX hardware and software, fire alarm systems, fence alarm systems, CCTV systems and digital two-way radio system. He has provided project management and oversight for numerous inmate telephone system implementations after joining the PCS team.

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Mr. Schaefer holds a Bachelor of Science degree in Management Information Systems from California State University Long Beach.

### **Jim Marsh :: Director of Revenue Assurance**

Mr. Marsh is currently the Director of Revenue Assurance at PCS. He has a long history of revenue protection and optimization. His focus is on maximizing revenue while providing premier customer service to our clients. Mr. Marsh's extensive knowledge and experience is renowned and he has authored multiple articles in Telecom publications and an international speaker on Fraud and Revenue Assurance.

Prior to joining PCS, Mr. Marsh was a consultant specializing in Financial Operations within Telecom (Revenue Management - Billing, Collections, Fraud) and spent 13 years with MCI in IT and Financial Operations. Mr. Marsh began his career with McDonnell Douglas in St. Louis as a Quality Engineer. He progressed into Manufacturing Systems Analysis and was recruited by MCI to manage their IT operation in St. Louis in 1985.

Later he moved from IT into Financial Operations where he was the Financial Manager in charge of MCI's largest customer at the time, an operator service provider. After MCI's consolidation, he created a new department focused on fraud and bad debt reduction as well as identified good high value customers for revenue enhancement.

As a Consultant, Mr. Marsh was frequently in leadership roles fine-tuning revenue processes. PCS is proud to have Mr. Jim Marsh on its team.

Mr. Marsh holds a Bachelor of Science Degree in Industrial Technology with Electronics Minor from Eastern Illinois University and an MBA with emphasis on Management Information Systems from Southern Illinois University at Edwardsville.



**Exhibit IV**

**Public Communications Services, Inc.**

**Financial Information**

CONFIDENTIAL AND PROPRIETARY  
FILED UNDER SEAL

**Exhibit V**

**Public Communications Services, Inc.**

***Proposed Tariff***

**Inmate Telecommunications Services Tariff**

**Of**

**Public Communications Services, Inc.**

This tariff contains the rules, regulations, descriptions, and rates applicable to the furnishing of inmate telecommunication services provided by Public Communications Services, Inc. ("PCS") within the State of South Carolina. This tariff is on file with the Public Service Commission of South Carolina.

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**CHECK SHEET**

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<b>PAGE</b>	<b>REVISION</b>	
Title	Original	*
1	Original	*
2	Original	*
3	Original	*
4	Original	*
5	Original	*
6	Original	*
7	Original	*
8	Original	*
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19	Original	*
20	Original	*
21	Original	*
22	Original	*
23	Original	*
24	Original	*
25	Original	*
26	Original	*
27	Original	*
28	Original	*

\* - indicates those pages included with this filing.

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**APPLICATION OF TARIFF**

This tariff contains the regulations and rates applicable to the provision of intrastate automated operator services by Public Communications Services, Inc. for use by inmates in correctional institutions within the State of South Carolina subject to the jurisdiction of the Public Service Commission of South Carolina.

**SERVICE AREA MAP**

Public Communications Services, Inc. will provide intrastate automated operator-assisted inmate calling services throughout the State of South Carolina.

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**EXPLANATION OF SYMBOLS**

Changes to this tariff shall be identified on the revised page(s) through the use of symbols. The following are the only symbols used for the purposes indicated below:

- (D) - Delete or discontinue.
- (I) - Change Resulting in an increase to a customer's bill.
- (M) - Moved from another tariff location.
- (N) - New
- (R) - Change resulting in a reduction to a customer's bill.
- (T) - Change in text or regulation.

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**TARIFF FORMAT**

- A. Page Numbering** - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4th Revised Page 14 cancels the 3rd Revised Page 14. Because of various suspension periods, deferrals, etc., the most current page number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.
  - 2.1.
  - 2.1.1.
  - 2.1.1.A.
  - 2.1.1.A.1.
  - 2.1.1.A.1.(a).
  - 2.1.1.A.1.(a).1.
  - 2.1.1.A.1.(a).1.(i).
  - 2.1.1.A.1.(a).1.(i).1).
- D. Check Sheets** - When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the pages contained in the tariff, with a cross-reference to the current revision number. When new pages are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remain the same, just revised revision levels on some pages). The tariff user should refer to the latest Check Sheet to find out if a particular page is the most current on file with the Commission.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Access Line** - An arrangement which connects the Subscriber's location to a Company switching center or designated point of presence.

**Automated Collect Call** - Calls billed to the called party that are completed through an automated call processing system. The automated system prompts the call originator and called party. The called party must accept charges for the call and is responsible for payment.

**Commission** - The Public Service Commission of South Carolina.

**Company or Carrier** - Public Communications Services, Inc., unless otherwise clearly indicated by the context.

**Correctional or Confinement Institutions** - Used throughout this tariff to refer to any type of confinement facility, including prisons, jails, work farms, detention centers or other facilities used for penalty or confinement purposes.

**Customer or End User** - The person, firm, corporation or other entity which uses the Company service and is responsible for payment of charges and compliance with the Company's tariff.

**Inmates** - The jailed or confined population of correctional or confinement institutions.

**LEC** - Local Exchange Company.

**ORS** - Refers to the South Carolina Office of Regulatory Staff.

**PCS** - Used throughout this tariff to mean Public Communications Services, Inc.

**Subscriber** - The correctional institution which orders or uses the Company service and is responsible for compliance with tariff regulations. The Subscriber enters into an agreement with the Company for the provision of collect-only automated operator assisted telecommunications services for use by inmates.

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## SECTION 2 - RULES AND REGULATIONS

### 2.1 Undertaking of Public Communications Services, Inc.

Company services and facilities are furnished for communications originating at correctional or confinement institutions within the state of South Carolina. The terms of this tariff apply to intrastate calls.

PCS provides for the installation, operation, and maintenance of the communications services provided herein in accordance with the terms and conditions set forth under this tariff. The Company may act as the Subscriber's agent for ordering access connection facilities provided by other carriers or entities, when authorized by the Customer, to allow connection of a Subscriber's location to the Company services. The Customer shall be responsible for all charges due for such service arrangement.

The Company's services and facilities are available twenty-four hours per day, seven days per week subject to restrictions imposed by the administration of the institution.

### 2.2 Limitations

2.2.1 PCS provides calling services to inmates of confinement/correctional institutions.

2.2.2 Service is offered subject to the availability of the necessary facilities or equipment, and subject to the provisions of this tariff.

2.2.3 PCS reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff, or in violation of the law.

2.2.4 The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.

2.2.5 All facilities provided under this tariff are directly or indirectly controlled by Public Communications Services, Inc. and the Subscriber may not transfer or assign the use of service or facilities without the express written consent of the Company.

2.2.6 Service may otherwise be limited at the request of the institution's administration or by rules of the Commission to decrease fraud and maintain security and control over the inmate population.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.3 Use**

Services provided under this tariff may be used for any lawful purpose for which the service is technically suited, limited to the provisions of this tariff.

**2.4 Liabilities of the Company**

- 2.4.1** The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility (including services and facilities involved in emergency calling activity) transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.4.2** The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer, End User and Subscriber against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer, End User or Subscriber; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use, or removal of equipment or wiring provided by the Company, if not caused by negligence of the Company.
- 2.4.3** The Company shall not be liable for any defacement of or damages to the premises of a Subscriber resulting from the furnishing of service which is not the direct result of the Company's negligence.
- 2.4.4** Except when a court of competent jurisdiction finds that gross negligence, willful neglect, or willful misconduct on the Company's part has been a contributing factor, the liability of the Company for any claim or loss, expense or damage (including indirect, special or consequential damage) for any interruption, delay, error, omission, or defect in any service, facility (including services and facilities involved in emergency calling activity) or transmission provided under this tariff shall not exceed an amount equivalent to the charge to the Customer for the interrupted call.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.5 Deposits and Advance Payments**

The Company does not normally require deposits. However the Company reserves the right to collect a deposit from parties who are billed for calls from inmates, pursuant to standards established by rules set forth in South Carolina Rule 103-621.

The Company does not normally require advance payments for service. However, the Company reserves the right to collect an amount not to exceed one (1) month's estimated charges as an advance payment for service. This will be applied against the next month's charges and a new advance payment may be collected for the next month, if necessary.

**2.6 Terminal Equipment**

Company-provided facilities and service may be used with or terminated in Company- provided terminal equipment or communications systems, such as a telephone set, PBX or key system. Such terminal equipment shall be furnished and maintained under contract between the Company and the Subscriber. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.7 Taxes and Fees**

All state and local taxes (i.e., sales tax, municipal utilities tax) are listed as separate line items on the Customer's bill and are not included in the quoted rates and charges set forth in this tariff. To the extent that a municipality, other political subdivision or local agency of government, or Commission imposes upon and collects from the Company a tax or regulatory fee, such taxes and fees shall, insofar as practicable and allowed by law, be billed pro rata to Customers receiving service from the Company within the territorial limits of such municipality, other political subdivision or local agency of government.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.8 Payment for Service****2.8.1 Payment for Service**

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer by the Company.

For operator assisted and institutional service calls, all charges due by the Customer are payable to the Company or any agent duly authorized to receive such payments. The billing agency may be the Company, a local exchange telephone company, or other billing service. Terms of payment shall be according to the rules and regulations of the agent and subject to the rules of regulatory agencies having jurisdiction.

**2.8.2 Disputed Charges**

Charges billed directly by the Company are due upon receipt. Amounts not paid within twenty (20) days of the invoice will be considered past due. For charges billed directly by the Company, notice from the Customer of a dispute as to charges must be received by the Company within thirty (30) days after the date of the invoice. Otherwise, all charges will be considered correct and binding.

For charges billed through the Customer's local exchange carrier, notice from the Customer of disputed charges must be received in writing by the Company within ninety (90) days after the date of the bill is issued. Otherwise, all charges will be considered correct and binding on the Customer.

The Company will promptly investigate and advise all billed parties as to its findings concerning disputed charges. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

If the Customer and the Company are unable to resolve the dispute to their mutual satisfaction, the Customer may file a complaint with the South Carolina Office of Regulatory Staff (ORS). The address of the Commission is as follows:

Office of Regulatory Staff  
State of South Carolina  
Consumer Services Division  
PO Box 11263  
Columbia, SC 29211  
Telephone  
Toll Free Number  
Fax Number

803-737-5230  
800-922-1531  
803-737-4750

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.8 Payment for Service, (Cont'd.)**

**2.8.3 Validation of Credit**

Services provided by the Company are available to inmates of confinement facilities in accordance with facility-authorized programs. The Company may request that the confinement facility adopt, as part of its program, terms that enable the Company to collect the charges for all inmate calls, including without limitation, the blocking of calls by the Company to certain telephone numbers when the amount charged to such a telephone number exceeds a predetermined amount or becomes past due.

The Company reserves the right to validate the creditworthiness of Customers and billed parties through available verification procedures and to establish a maximum predetermined credit amount. Where a requested billing method cannot be validated or maximum credit amount established, the Company may refuse to provide its automated operator assisted services.

**2.9 Interconnection**

Service furnished by PCS may be connected with the services or facilities of other carriers. Such service or facilities, if used, are provided under the terms, rates and conditions of the other carrier. The Customer or Subscriber is responsible for all charges billed by other carriers for use in connection with Company service. Any special interface equipment or facilities necessary to achieve compatibility between carriers is the responsibility of the Subscriber.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.10 Refusal or Discontinuance by Company**

**2.10.1** PCS may refuse or discontinue service with proper notice five (5) days written notice) to the Customer or Subscriber for any of the following reasons:

- A.** For failure of the Customer to pay a bill for service when it is due.
- B.** For failure of the Customer or Subscriber to make proper application for service.
- C.** For Customer's or Subscriber's violation of any of the Company's rules on file with the Board.
- D.** For failure of the Subscriber to provide the Company reasonable access to its equipment and property.
- E.** For Subscriber's breach of the contract for service between the Company and the Subscriber.
- F.** For a failure of the Subscriber to furnish such service, equipment, and/or rights-of-way necessary to serve said Subscriber as shall have been specified by the Company as a condition of obtaining service.
- G.** When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.

**2.10.2** PCS may refuse or discontinue service without notice to the Customer or Subscriber for any of the following reasons:

- A.** In the event of tampering with the Company's equipment.
- B.** In the event of a condition determined to be hazardous to the Customer or Subscriber, to other Customers of the Company, to the Company's equipment, the public, or to employees of the Company.
- C.** In the event of a Customer's or Subscriber's use of equipment in such a manner as to adversely affect the Company's equipment or the Company's service to others.
- D.** In the event of fraudulent use of the service.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.11 Inspection, Testing and Adjustment**

Upon reasonable notice, the facilities provided by the Company shall be made available to the Company for tests and adjustments as may be deemed necessary by the Company for maintenance.

**2.12 Call Restrictions**

Calling capabilities may be restricted by the administration of the correctional or confinement institutions. The following types of calls will be blocked: directory assistance, 0-, 700, 800, 900, 976, 950, 10XXX, 1+ sent paid, third number billed, credit card and local direct. The institution may block calls to specific telephone numbers and may limit calling service to pre-approved telephone numbers only. Call duration may be limited by the institution.

**2.13 Marketing Practices**

As a telephone utility under the regulation of the Public Service Commission of South Carolina, the Company hereby asserts and affirms that as a reseller of intrastate telecommunications service, it will not indulge or participate in deceptive or misleading telecommunications marketing practices to the detriment of consumers in South Carolina, and will comply with those marketing practices, if any, set forth by the Public Service Commission. Additionally, the Company will be responsible for the marketing practices of its contracted telemarketers for compliance with this provision. The Company understands that violation of this provision could result in a rule to Show Cause as to the withdrawal of its certification to complete intrastate telecommunications traffic within the state of South Carolina. As a provider of service to inmates in confinement institutions, the Company does not engage in telemarketing.

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### SECTION 3 - DESCRIPTION OF SERVICE

#### 3.1 General

Service is offered to inmates of correctional or confinement facilities for outward-only calling. Collect calls may be billed to residential or business lines. Billing information will be validated.

#### 3.2 Timing of Calls

- 3.2.1 Long distance usage charges are based on the actual usage of the Company network. Timing of a call begins when the called party accepts the charges for the call. Positive response for acceptance of a call is required. A call will be terminated within five (5) seconds from the last message given if no positive response is received.
- 3.2.2 Chargeable time for a call ends upon disconnection by either party.
- 3.2.3 The minimum call duration and initial period for billing purposes is one minute.
- 3.2.4 Unless otherwise specified in this tariff, for billing purposes usage is measured and rounded to the next higher full minute.
- 3.2.5 No charges apply for incomplete calls or for calls to called parties who do not accept the charges for the call. The Company will terminate a call if the called party does not accept responsibility for the charges. If a Customer believes he or she has been incorrectly billed for an incomplete call, the Company will, upon notification, investigate the circumstances of the call and issue a credit when appropriate.

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**SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)****3.3 Time of Day Rate Periods**

For time of day sensitive services, the following rate periods apply unless otherwise specified in this tariff:

	MON	TUES	WED	THUR	FRI	SAT	SUN
8:00 AM TO 5:00 PM*	DAYTIME RATE PERIOD					EVE	
5:00 PM TO 11:00 PM*	EVENING RATE PERIOD						
11:00 PM TO 8:00 AM*	NIGHT/WEEKEND RATE PERIOD						

\* Up to but not including.

Calls are billed based on the rate in effect for the actual time period(s) during which the call occurs. Calls that cross rate period boundaries are billed the rates in effect in that boundary for each portion of the call, based on the time of day at the Customer location.

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**SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)****3.4 Institutional Operator Assisted Calling**

Institutional operator assisted service allows Inmates to place Collect Calls through an automated call processing system. The call processing system prompts the Inmate and the called party such that the call is completed without live operator assistance. Calls are placed on a collect-only basis to the called party.

A number of special blocking and screening capabilities are available with institutional operator services provided by PCS. These capabilities allow Institutions to control Inmate access to telecommunications services, reduce fraudulent use of the Company's services, and eliminate harassing calls to persons outside the Institution.

**3.4.1** For services provided to Inmates of institutions, the following special conditions apply:

- A.** Calls to "900", "976" or other pay-per-call services are blocked by PCS.
- B.** At the request of the Institution, PCS may block inmate access to toll-free numbers (e.g., 800, 888) and dialing sequences used to access other carriers or operator service providers (e.g., 950-XXXX, 10XXXX).
- C.** At the request of the Institution, PCS may block Inmate access to "911", "411", or local operators reached through "0-" dialing.
- D.** At the request of the Institution, PCS may block Inmate access to specific telephone numbers.
- E.** Availability of PCS's services may be restricted by the Institution to certain hours and/or days of the week.
- F.** At the request of the Institution, no notices or signage concerning the Company's services will be posted with its instruments. Information concerning PCS's services is provided to the administration of each Institution where the Company's services are offered. Inmates may obtain information regarding rates and charges by requesting such information from the Institution's administration.
- G.** At the request of the Institution, PCS may impose time limits on local and long distance calls placed using its services.
- H.** At the request of the Institution, equipment may be provided which permits monitoring of inmate calls by legally authorized government officials.

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**SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)**

**3.4 Institutional Operator Assisted Calling, (Cont'd.)**

**3.4.2 Maximum Local Rates and Charges**

The Company will not charge a higher rate than AT&T.

**3.4.3 Maximum IntraLATA Rates and Charges**

The Company will not charge a higher rate than AT&T.

**3.4.4 Maximum InterLATA Rates and Charges**

The Company will not charge a higher rate than AT&T.

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**SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)**

**3.5 Prepaid Collect Service**

**3.5.1 Description**

Prepaid Collect Service allows recipients of collect calls from inmate facilities to set up a prepaid account with the Company from which such calls are decremented. Inmates place a collect call through the standard dialing pattern to a specific telephone number (station to station). The Subscriber accepts the collect call and the charges for that call are deducted from the Subscriber=s Prepaid Account. Funds in this Prepaid Account may only be used for payment of calls received by Subscribers to their telephone number specified to the Company when the Prepaid Account is established.

Prepaid Collect Service calls are not distance sensitive. Call timing is rounded up to the nearest one (1) minute increment after the initial minimum period of one (1) minute and therefore the Available Usage Balance is decremented in full minute increments.

Per call and usage for each call placed is deducted from the Available Usage Balance in the Inmates=s Prepaid Account. Customers may obtain the current Available Usage Balance, last payment made and last payment date by calling the Company=s Customer Service toll free number twenty-four (24) hours a day, seven (7) days a week.

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**SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)**

**3.5 Prepaid Collect Service, (Cont'd.)**

**3.5.2 Maximum Local Rates and Charges**

The Company will not charge a higher rate than AT&T.

**3.5.3 Maximum IntraLATA Rates and Charges**

The Company will not charge a higher rate than AT&T.

**3.5.4 Maximum InterLATA Rates and Charges**

The Company will not charge a higher rate than AT&T.

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**SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)**

**3.6 Institutional Prepaid Service**

**3.6.1 Description**

Institutional Prepaid Service allows inmates to set up prepaid accounts for outbound calling. Prepaid calls are originated when the inmate enters their unique PIN and destination number. The institution has the option of enabling a function requiring positive call acceptance on each call placed via Institutional Prepaid Service.

With the assistance of the institution, the company will set up a Prepaid Account for calls placed from the institution. Funds in the Prepaid Account may only be used for payment of calls placed by inmates. The Company's system informs the inmate of the Available Usage Balance remaining in the Prepaid Account upon access to place a call, and prompts the inmate Customer to place a call by entering the destination telephone number.

Institutional Prepaid Service calls are not distance sensitive. Call timing is rounded up to the nearest one (1) minute increment after the initial minimum period of one (1) minute and therefore the Available Usage Balance is decremented in full minute increments. Per call and usage for each call placed is deducted from the Available Usage Balance in the Inmate's Prepaid Account on a real time basis as the call progresses.

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**SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)**

**3.6 Institutional Prepaid Service, (Cont'd.)**

**3.6.2 Maximum Local Rates and Charges**

The Company will not charge a higher rate than AT&T.

**3.6.3 Maximum IntraLATA Rates and Charges**

The Company will not charge a higher rate than AT&T.

**3.6.4 Maximum InterLATA Rates and Charges**

The Company will not charge a higher rate than AT&T.

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**SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)**

**3.7 Miscellaneous Charges**

**3.7.1 Public Telephone Surcharge**

In order to recover the Company's expenses to comply with the FCC's pay telephone compensation plan effective on October 7, 1997 (FCC 97-371), an undiscountable per call charge is applicable to all interstate, intrastate and international calls that originate from any domestic pay telephone used to access the Company's services. This surcharge, which is in addition to standard tariffed usage charges and any applicable service charges and surcharges associated with the Company's service, applies for the use of the instrument used to access the Company's service and is unrelated to the service accessed from the pay telephone.

Pay telephones include coin-operated and coinless phones owned by local telephone companies, independent companies and other interexchange carriers. The Public Pay Telephone Surcharge applies to the initial completed call and any re-originated call (i.e., using the "#" symbol).

Whenever possible, the Public Pay Telephone Surcharge will appear on the same invoice containing the usage charges for the surcharged call. In cases where proper pay telephone coding digits are not transmitted to the Company prior to completion of a call, the Public Pay Telephone Surcharge may be billed on a subsequent invoice after the Company has obtained information from a carrier that the originating station is an eligible pay telephone.

The Public Pay Telephone Surcharge does not apply to calls placed from pay telephones at which the Customer pays for service by inserting coins during the progress of the call.

Maximum Rate per Call:                      \$1.00

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**SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)****3.7 Miscellaneous Charges, (Cont'd.)****3.7.2 Billing Cost Recovery Fee**

In order to partially offset increased expenses associated with billing calls via local exchange carriers, a cost recovery fee may apply each billing period in which local or long distance collect calls are billed through a Customer's local exchange carrier. Where applicable, this fee will be charged only once per billing period regardless of the number of calls. The fee will not apply in any billing period in which no collect calls are billed via the Customer's local exchange carrier. This fee does not apply to prepaid services paid for by commercial credit card, check, money order or wire, or for services billed directly to the Customer by the Company.

Maximum Billing Cost Recovery Fee, per month where applicable: \$5.00

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**SECTION 4 – CURRENT RATES****4.1 Institutional Operator Assisted Calling**

Calls are limited to a maximum duration of fifteen (15) minutes.

**4.1.1 Local Rates and Charges****A. Local Usage Charge**

Rate Per Call: \$0.00

**B. Local Per Call Service Charges**

Station-to-Station Collect: \$3.00

**4.1.2 IntraLATA Rates and Charges****A. Usage Rate**

Rate Per Minute: \$0.00

**B. Per Call Service Charge**

Station-to-Station Collect: \$3.00

**4.1.3 InterLATA Rates and Charges****A. Usage Rate**

Rate Per Minute: \$0.00

**B. Per Call Service Charge**

Station-to-Station Collect: \$3.00

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**SECTION 4 – CURRENT RATES, (CONT'D.)****4.2 Prepaid Collect Service**

Calls are limited to a maximum duration of fifteen (15) minutes.

**4.2.1 Local Rates and Charges****A. Local Usage Charge**

Rate Per Call: \$0.00

**B. Local Per Call Service Charges**

Station-to-Station Collect: \$2.25

**4.2.2 IntraLATA Rates and Charges****A. Usage Rate**

Rate Per Minute: \$0.00

**B. Per Call Service Charge**

Station-to-Station Collect: \$2.25

**4.2.3 InterLATA Rates and Charges****A. Usage Rate**

Rate Per Minute: \$0.00

**B. Per Call Service Charge**

Station-to-Station Collect: \$2.25

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**SECTION 4 – CURRENT RATES, (CONT'D.)**

**4.3 Institutional Prepaid Service**

**4.3.1 Local Rates and Charges**

**A. Local Usage Charge**

Rate Per Minute: \$0.10

**B. Local Per Call Service Charges**

Station-to-Station Collect: \$0.00

**4.3.2 IntraLATA Rates and Charges**

**A. Usage Rate**

Rate Per Minute: \$0.10

**B. Per Call Service Charge**

Station-to-Station Collect: \$0.00

**4.3.3 InterLATA Rates and Charges**

**A. Usage Rate**

Rate Per Minute: \$0.10

**B. Per Call Service Charge**

Station-to-Station Collect: \$0.00

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**SECTION 4 – CURRENT RATES, (CONT'D.)**

**4.4 Miscellaneous Charges**

**4.4.1 Public Telephone Surcharge**

Rate per Call: \$0.60

**4.4.2 Billing Cost Recovery Fee**

Per Month where applicable: \$2.49

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